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Andrea J. Cabral
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Board of Elevator Regulations – Hearing Minutes – September 17, 2013

This meeting was held in accordance with G. L. c. 30A, §§18-25, the Open Meeting Law

Present:

Walter Zalenski, Chair

Kevin McGettigan, Member

John O'Donoghue, Member

Cheri Davis, Member

Thomas Riley, Member

Michael Nicoloro, Member

David Gaudet, Member

Deidre Hosler, Legal Counsel

Susan Genduso, DPS

Absent:

Harold McGonagle, Member

Meeting is called to order and board members are introduced by Walter Zalenski – a quorum is present.

Minutes: Review of Minutes of September 3, 2013, no discussion.

A motion is put forth by John O'Donoghue to accept the minutes as read.

Motioned by: John O'Donoghue

Seconded by: Michael Nicoloro

Vote: 6-0 minutes accepted

Variance Petitions Heard:

1. 63 Middlesex Street, Suite 3 North Chelmsford, MA: 56-F-72 - 524 CMR, 17.41 thru 17.50

Owner: Realty Professionals, Inc., 63 Middlesex Street, Suite 3, North Chelmsford, MA 01863

Petitioner: Robert S. McKittrick, Realty Professionals, Inc.

Petitioner is seeking a variance from 524 CMR, 17.41 thru 17.50 to continue to operate a Chapter 288 Freight Elevator until the installation of a new passenger elevator is complete. A motion has been put forth by John O'Donoghue to grant the variance to allow the operation of 56-F-72 until the new passenger elevator is certified. The motion is amended by Cheri Davis to add a *provision of a sunset date of December 15, 2013 for operation of 56-F-72, and a provision that 56-F-72 be decommissioned sooner, if the passenger elevator is certified prior to December 15, 2013.

Motioned by: John O'Donoghue and Amended by Cheri Davis

Seconded by: Thomas Riley

Vote: 7-0 variance granted with *provisions

2. 101 Page Street, New Bedford, MA: 201-P-162– 524 CMR 17.02 and 17.03

“No Show”

- 3. Request for variance pursuant to 524 CMR 13.02 - New Prototype EcoSpace Machine-Room-Less Elevator designed by Kone Elevator.** The following locations request a site specific variance to install this machine-room-less elevator. The Board has previously approved the installation of “EcoSpace”, MonoSpace” and “Ohio” Machine-Room-Less Elevators.

- a. One Perkins Street, Lowell
- b. 134 Old Main Street, South Yarmouth – Elevator #1
- c. 134 Old Main Street, South Yarmouth – Elevator #2
- d. 160 Cambridge Park Drive, Cambridge – Elevator #1
- e. 160 Cambridge Park Drive, Cambridge – Elevator #2
- f. 41 Westland Avenue, Boston
- g. Third Avenue, Building F, Burlington
- h. 411 D Street, South Boston - PE 1
- i. 411 D Street, South Boston - PE 2
- j. 411 D Street, South Boston - PE 3
- k. 411 D Street, South Boston - PE 4
- l. 181 Littleton Road, Chelmsford
- m. 50 Lewis Street, East Boston
- n. 200 Waltham Street, Waltham – Elevator #1
- o. 200 Waltham Street, Waltham – Elevator #2
- p. 20 Summer Street, Watertown – Elevator #1
- q. 20 Summer Street, Watertown – Elevator #2
- r. 8 Quarry Lane, Building 3-B1, Malden – Elevator #1
- s. 8 Quarry Lane, Building 3-B1, Malden – Elevator #2
- t. 1 Stone Lane, Building 3-B2, Malden – Elevator #1
- u. 1 Stone Lane, Building 3-B2, Malden – Elevator #2
- v. 21 Salisbury Street, Worcester – Elevator #1

A motion is put forth by Kevin McGettigan to grant the variances as requested for all of the locations listed.

Motioned by: Kevin McGettigan

Seconded by: Cheri Davis

Vote: 7-0 variances granted

- 4. Request for variance pursuant to 524 CMR 13.02 - New Prototype EcoSpace Machine-Room-Less Elevator and 6 MM Governor Rope, 8 MM Hoist Rope.** The following locations request a site specific variance to install this machine-room-less elevator with specific governor rope and hoist ropes.

- a. 21 Salisbury Street, Worcester – Elevator #2
- b. 11 New Whitney Street, Boston
- c. 555 Pleasant Street, Watertown – Elevator #1
- d. 555 Pleasant Street, Watertown – Elevator #2
- e. 555 Pleasant Street, Watertown – Elevator #3
- f. 7 Boyden Lane, Deerfield
- g. 15 Tufts Street, Charlestown
- h. 90 Vine Street, Charlestown
- i. 467 Washington Street, Boston
- j. 160 Cambridge Park Drive, Cambridge
- k. 311 Arsenal Street, Building 60, Watertown Arsenal, Watertown
- l. 50 Lewis Street, East Boston – PE 2
- m. 50 Lewis Street, East Boston – PE 3
- n. 419 Walnut Avenue, Jamaica Plain

A motion is put forth by Kevin McGettigan to grant the variances as requested for all of the locations listed.

Motioned by: Kevin McGettigan

Seconded by: Michael Nicoloro

Vote: 7-0 variances granted

- 5. Request for variance to install GEN2S elevators.** The following locations request a site specific variance to install the GEN2S elevator. The installation of GEN2S was previously approved by the Board with the provision that any unit permitted after July 1, 2013 must have the governor mounted on the car top facing inward. Older units must apply for a site specific variance.

- a. 300 Hillside Avenue, Needham
- b. 577 Western Avenue, Westfield – 329-P-161
- c. 577 Western Avenue, Westfield – 329-P-162
- d. 10 Main Street, Bridgewater – 42-P-107
- e. 10 Main Street, Bridgewater – 42-P-108
- f. 225 Canal Street, Salem – 258-P-421
- g. 150 North Street, Boston
- h. 123 West Street, Norton – 218-P-58
- i. 625 Country Street, Somerset – Elevator #1
- j. 625 Country Street, Somerset – Elevator #2
- k. 218 Oak Street, Franklin – Elevator #1
- l. 218 Oak Street, Franklin – Elevator #2

The Board determined that clarification is needed from Otis Elevator and Delta Elevator to determine if these units have side mounted governors and the date that each unit was originally permitted. A motion is put forth by Cheri Davis to put “on hold” pending submission of up-dated applications for each location citing the specific code for which the variance is requested.

Motioned by: Cheri Davis

Seconded by: Thomas Riley

Vote: 5-0 variances “on hold” pending new application submissions

John O’Donoghue and Mike Nicoloro left the meeting at 1:50pm., a quorum is still present.

Code Review:

- a. Review of Elevator Code Advisory Group A10 for adoption of ASME A17.1-2010 and A18.1-2011**

Draft of proposed Code with recommend changes to Section 35 was not ready to present.

- b. Review of proposed changes to 524 CMR**

Proposed changes to 524 CMR will be discussed by the Board when the Draft from the Elevator Code Advisory Group A10 is submitted.

- c. Amended variance procedures**

The Chair reviewed the amended procedures and Deirdre Hosler explained the Department’s recommendations for site specific versus prototype variance requests. The Board requests that language be added to the prototype variance procedure explaining that once a prototype variance is approved it will be the elevator manufacturer’s responsibility to come before the Board if additional variances are necessary. The Board recognized the amended variance procedures and will vote on the final draft when it is revised.

Exhibit List:

Exhibit A: Variance petition packet for #1 - 63 Middlesex Street, Suite 3, North Chelmsford - 56-F-72

Exhibit B: Variance petition packets for #3 (a) through (v) above

Exhibit C: Variance petition packets for #4 (a) through (n) above

Exhibit D: Department of Public Safety Amended Variance Procedures

A motion was put forth to adjourn the meeting by Kevin McGettigan, motion seconded by Cheri Davis, all in favor.
Meeting adjourned at 2:20pm.

Prepared by: Susan Genduso
September 18, 2013